



# PHILIP MORRIS

EEC REGION

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The Mulberrys  
Kembrey Park, Swindon, SN2 6YD  
United Kingdom

January 13, 1993

Dear Sir,

Reference is made to your January 7, 1993 letter.

We have noted your comments, however, would like to correct certain of the assumptions you have made as they result in your misconstruing our message.

Our warning notice indeed does not allege that we have exclusive rights to the MERIT mark for toys. It states that we own rights to several - tobacco - trademarks, including MERIT, which we are determined to protect against unauthorized use by third parties on any goods or services. Moreover, as a member of the tobacco industry, Philip Morris has the obligation, in compliance with various national laws or industry agreements, to ensure that its tobacco trademarks (a number of which are well known or notorious) are not used on products attractive to youth.

The purpose of our campaign, run in selected toy, candy, gadget and IP publications, is therefore clearly to deter the unauthorized use of *our* trademarks by others; it is obviously not to interfere with the legitimate business of third parties using their own trademarks. We think our message is abundantly clear from the headline and the pay-off.

Yours faithfully,

Jean Bangerter  
Manager Trademark Administration.

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PHILIP MORRIS EUROPE S.A.